

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

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APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

Application is hereby made to transfer the permit to commence small mining operations for the  
Rhyolite Beryl Pit #1 mine, permit # S/021 / 0032, currently  
operated by JP Excavating, Inc. (transferor)  
to Bryce Christensen Excavating, Inc. (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFEE refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Large Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

50210032  
TaskID#4249  
cc: Lynn

RECEIVED

JUL 13 2011

DIV. OF OIL, GAS & MINING



The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

JP Excavating, Inc.

Operator/Transferor Name

By Judd Palmer

Name of Authorized Officer (Typed or Printed)

Owner, President

Title of Authorized Officer

[Signature]

Officer's Signature

5/10/2011

Date

STATE OF Utah )

) ss:

COUNTY OF Washington )

On the 10 day of May, 20 11, Judd Palmer  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Owner (owner, officer, director, partner, agent or other (specify))  
of the Operator JP Excavating, Inc.  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

[Signature]  
Notary Public

Saint George, Utah

Residing at

3/28/2014

My Commission Expires:





The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

Bryce Christensen Excavating Inc  
Operator/Transferor Name

By Laurie Topham  
Name of Authorized Officer (Typed or Printed)

Financial Officer  
Title of Authorized Officer

Laurie Topham 5/11/11  
Officer's Signature Date

STATE OF Utah

COUNTY OF Washington ) ss:

On the 11 day of MAY, 20 11, Laurie Topham  
personally appeared before me, who being by me duly sworn did say that he/she is  
an financial officer (owner, officer, director, partner, agent or other (specify))  
of the Operator Bryce Christensen Excavating  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

[Signature]

Notary Public

St George, UT

Residing at

3-28-2014

My Commission Expires:





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**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION OF OIL, GAS AND MINING**  
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Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program. (R647-3-et seq.)

*These pages will replace the corresponding pages in the original NOI.*

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**1. GENERAL INFORMATION**

1. Name of Mine: Rhyolite Beryl Pit #1
2. Legal name of entity (or individual) for whom the permit is being requested:  
Mailing Address: 2052 East 3200 South  
City, State, Zip: St. George, UT 84790  
Phone: 435-628-4198 Fax: 435-628-5099  
E-mail Address: bceexcavating@infowest.com

**Type of Business:**

Corporation ☒ LLC ☐ Partnership – general ☐ or limited ☐  
Sole Proprietorship (dba) ☐ or Individual ☐

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC).**

Are you currently registered to do business in the State of Utah? Yes ☒ No ☐

Entity # 1471087-0142

If no, contact DOC at [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

Local Business License #: 00041750 (if required)

Issued by: City: St. George City or County: Washington

**If Business is a Sole Proprietor:**

Name of owner: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Partnership:**

Name of Partner: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



**If Business is a Corporation:**

Name of Officers: Bryce Christensen Title: President  
Excavating, Inc. Title: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Corporate Address: 2052 E. 3200 S.  
City, State, Zip: St. George, UT 84790  
Phone: 435-628-4198 Fax: 435-628-5099  
E-mail Address: scale@infowest.com

**If Business is a Limited Liability Company:** Member Managed \_\_\_\_\_ Manager Managed \_\_\_\_\_

Name of 1<sup>st</sup> Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

2nd Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**2. Contacts:**

This person may be notified for: permitting ☒ surety ☒ Notices ☒  
(please check all that apply)

Name: Bryce Christensen Title: President  
Address: 2052 E 3200 S.  
City, State, Zip: St. George, UTAH 84790  
Phone: 435-628-4198 Fax: 435-628-5099  
Emergency, Weekend, or Holiday Phone: 435-680-2866  
E-mail Address: hceexcavating@infowest.com

This person may be notified for: permitting ☒ surety ☒ Notices ☒  
(please check all that apply)

Name: Marcy Welch Title: Office Manager  
Address: 2052 E 3200 S  
City, State, Zip: St. George UTAH 84790  
Phone: 435-628-4198 Fax: 435-628-5099  
Emergency, Weekend, or Holiday Phone: 435-680-1429  
E-mail Address: mwelch@infowest.com

**Registered Utah Agent** (as identified with the Utah Dept of Commerce) (if individual leave blank):

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



**3. Certification:**

**This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; (4.) the member or manager if applicant is a limited liability company; or (5) the individual if the applicant is filing as an individual:

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I will follow the approved mining and reclamation plan that was submitted by JP Excavating, Inc (transferor), until such time that I provide the Division with an amended Notice of Intention and receive approval of the amended Notice; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature: Bryce Chr Date: 5/11/11

Name (typed or printed): Bryce Christensen

Title/Position (if applicable): President



Bryce Christensen Excavating, Inc.  
2052 East 3200 South  
St. George, UT 84790  
435-628-4198 Phone  
435-628-5099 Fax

July 11, 2011

Attn: Penny Berry or Lynn Kunzler:

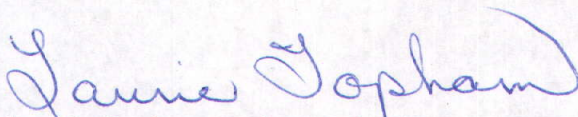
State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
1494 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, UT 84114-5801

Dear Penny or Lynn:

As you may recall, I contacted you in May about the Transfer of a mining operation. It took some time to do paperwork and to obtain a bond for this project.

I have enclosed paperwork that former owner advised I would need and the bond for reclamation. Please let me know if you need any further paperwork or information.

Thank you,



Laurie Topham - Financial Officer  
Bryce Christensen Excavating, Inc.  
scale@infowest.com  
435-628-4198

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JUL 13 2011  
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